

AK

Notice of Allowability

Application No.

10/785,580

Applicant(s)

SCARBOROUGH, DANE

Examiner

Yaritza Guadalupe McCall

Art Unit

2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed February 28, 2005.
2. ☒ The allowed claim(s) is/are 1,3-13 and 16-24.
3. ☒ The drawings filed on 23 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

In response to Amendment filed February 28, 2005

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Stephen Nipper on March 14, 2005.

The application has been amended as follows:

- a. Please replace claim 1 as follows :

1. A chalk-line for marking lines comprising:
a string having a first end connected to a reel and a second end connected to an attachment device, said reel configured to wind and unwind said string;
said attachment device comprising a string connection portion pivotally connected to a surface attachment portion, said surface attachment portion having at least two variable connection devices fixed relative to one another, each variable connection device configured to connect said attachment device to a surface, said string connection portion further comprising a string connection body defining an aperture dimensioned to allow passage of a portion of said surface attachment portion therein.

b. Please replace claim 7 as follows :

7. The chalk-line of claim 1, wherein said string connection portion has a string connection portion body, said string connection portion body being generally arcuately shaped, having a first end to a second end, said first end and said second end configured to receive a pivot pin therein,

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

a. Claims 1 and 3 - 9 are allowable over the Prior Art of Record because it fails to teach or suggest a chalk line for marking lines comprising a string connection portion further comprising a string connection body defining an aperture dimension to allow passage of a portion of said surface attachment portion in combination with the remaining limitations of the claims.

b. Claims 10 – 13 and 16 – 18 are allowable over the Prior Art of Record because it fails to teach or suggest a suggest an adjustable chalk-line hook comprising a surface attachment portion comprising a threaded projection, said projection configured to be inserted and held within a surface and to hold said attachment device to said surface in combination with the remaining limitations of the claims.

c. Claim 19 is allowable over the Prior Art of Record because it fails to teach or suggest an attachment device for a chalk line comprising a surface attachment portion having a body comprising a first end configured to form a clip, said clip having a plurality of teeth and configured to grasp an edge of a surface, said attachment portion body defining an aperture, said aperture configured to receive a portion of a surface projection therein; said attachment portion body further defining a passageway configured to allow passage of a pivot pin there through, said attachment portion body extending to a second end, said second end configured to form a threaded projection said threaded projection configured to allow insertion of said threaded projection within a surface in combination with the remaining limitations of the claims.

d. Claim 20 is allowable over the Prior Art of Record because it fails to teach or suggest a chalk line for marking lines comprising at least one variable device comprising a threaded projection configured to be screwed into said surface thereby holding said attachment device in engagement with said surface in combination with the remaining limitations of the claims.

e. Claims 21 - 22 are allowable over the Prior Art of Record because it fails to teach or suggest a chalk line for marking lines comprising a surface attachment portion comprising an attachment portion body, said attachment portion body comprising a first end configured to form a clip, said clip configured to grasp an edge of a surface, said attachment portion body defining an aperture configured to receive a portion of a surface

projection therein, said attachment portion body further defining a passageway configured to allow passage of a pivot pin there through, said attachment portion body extending to a second end, said second end configured to form a threaded projection said threaded projection configured to allow insertion of said threaded projection within a surface in combination with the remaining limitations of the claims.

f. Claims 23 - 24 are allowable over the Prior Art of Record because it fails to teach or suggest an adjustable chalk line hook comprising a surface attachment portion comprising an attachment portion body comprising a first end configured to form a clip, said clip having a plurality of teeth and configured to grasp an edge of a surface, said attachment portion body defining an aperture configured to receive a portion of a surface projection therein, said attachment portion body further defining a passageway configured to allow passage of a pivot pin there through, said attachment portion body extending to a second end, said second end configured to form a threaded projection said threaded projection configured to allow insertion of said threaded projection within a surface in combination with the remaining limitations of the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

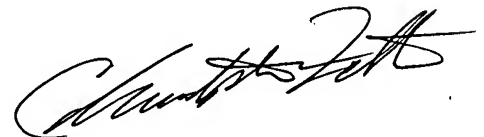
Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yaritza Guadalupe whose telephone number is (571)272 -2244. The examiner can normally be reached on 9:00 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F.F. Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yaritza Guadalupe McCall
Patent Examiner
Art Unit 2859
March 15, 2005



CHRISTOPHER W. FULTON
PRIMARY EXAMINER